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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | | Application Number | 10715055 |
| | | Filing Date | 2003-11-17 |
| | | First Named Inventor | Gerald Cagle |
| | | Art Unit | 1618 |
| | | Examiner Name | Fay, Zohreh A. |
| | | Attorney Docket Number | 007109.00001 |

U.S.PATENTS

| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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| /ZF/ | 1 | 5149693 | | 1992-09-22 | Cagle et al. | |

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| /ZF/ | 1 | 20070049552 | A1 | 2007-03-01 | Babu et al. | |
| /ZF/ | 2 | 20060276777 | A1 | 2006-12-07 | Coroneo | |
| /ZF/ | 3 | 20060183698 | A1 | 2006-08-17 | Abelson | |
| /ZF/ | 4 | 20060074053 | A1 | 2006-04-06 | Asada et al. | |

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|---|---------|----|------------|----------------------------------|--------------------------|
| 1 | 0001365 | WO | 2000-01-13 | Leo Pharmaceutical Products Ltd. | <input type="checkbox"/> |
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|--------------------|---------|---|--------------------------|
| /ZF/ | 1 | "Plaintiffs Alcon, Inc.'s and Alcon Manufacturing, Ltd.'s Responsive Interrogatory Concerning Defendant's Supplemental § 112, ¶ 1 Defenses." (1-22-08) Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| | 2 | "Defendant's Supplemental Responses to Plaintiffs' Interrogatories Nos. 3, 7-9, 16, 18, 23, and 24," (11-27-07) Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| | 3 | Pawar et al., AAPS PharmSciTech, 7(1), E1-E6 (2006), "Effect of Formulation Factors on In Vitro Permeation of Moxifloxacin From Aqueous Drops Through Excised Goat, Sheep, and Buffalo Corneas" | <input type="checkbox"/> |
| | 4 | Chan et al., Anal. Biochem., 353, 30-36 (2006), "Determination of ofloxacin and moxifloxacin and their penetration in human aqueous and vitreous humor by using high-performance liquid chromatography fluorescence detection" | <input type="checkbox"/> |
| | 5 | Expert Report of Eduardo C. Alfonso, M.D. (43 pages; dated 9/19/07) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 6 | Expert Report of Ashim K. Mitra, Ph.D. (27 pages; dated 9/19/07) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 7 | Expert Report of George G. Zhanel, Ph.D. (66 pages; dated 9/19/07) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 8 | Gennaro, Alfonso, R., "19th Edition, Remington: Practice of The Science & Pharmacy, 1995" Ophthalmic Preparations, Chapter 89, pgs. 1563-1576 | <input type="checkbox"/> |

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| /ZF/ | 9 | Trial Transcript for February 28, 2008 for Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 10 | Trial Transcript for March 3, 2008 for Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 11 | Trial Transcript for March 4, 2008 for Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 12 | Trial Transcript for March 5, 2008 for Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 13 | Trial Transcript for March 6, 2008 for Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 (SLR)) | <input type="checkbox"/> |
| | 14 | USP Dictionary of USAN and International Drug Names (2000 edition), pg. 479, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 15 | Monograph for Vigamox from the 61st edition of the Physician's Desk Reference, published in 2007, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 16 | Modern Pharmaceutics, 2nd ed. (1990), Ch. 14: Design and Evaluation of Ophthalmic Pharmaceutical Products (Marcel Dekker, Inc., New York), from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 17 | Tierney et al., eds., Current Medical Diagnosis & Treatment, 37th ed. (1998), pp. 186, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 18 | Entry for "Ciloxan Solution/Drops; Ophthalmic" in the U.S. Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations; from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| ↓ | 19 | Monograph for Ciloxan from the 53rd edition of the Physician's Desk Reference, published in 1999, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |

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| /ZF/ | 20 | Firestone et al., "Solubility characteristics of three fluoroquinolone ophthalmic solutions in an in vitro tear model," Int J. Pharm 164 (1998) 119-128, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 21 | Poster entitled "Synthesis and In Vitro Activity of BAY12-8039, a New 8-Methoxyquinolone" from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 22 | Abstract entitled "Synthesis and In Vitro Activity of BAY12-8039, a New 8-Methoxyquinolone," with associated documents from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 23 | Monograph for Ciloxan from the 50th edition of the Physicians' Desk Reference, published in 1996, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 24 | Monograph for Tobradex Ophthalmic Suspension from the 50th edition of the physicians' Desk Reference, published in 1996, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 25 | Entry for "Ciloxan Ointment; Ophthalmic" in the U.S. Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations, from List of Exhibits to Expert Report of Dr. Loyd V. Allen, Jr. | <input type="checkbox"/> |
| | 26 | Franz-Josef Schmitz et al., "Relationship between ciprofloxacin, ofloxacin, levofloxacin, sparfloxacin and moxifloxacin (BAY 12-8039) MICs and mutations in grlA, grlB, gyrA and gyrB in 116 unrelated clinical isolates of Staphylococcus aureus," Journal of Antimicrobial Chemotherapy (1998) 41, 481-484 | <input type="checkbox"/> |
| | 27 | A. Dalhoff et al, "In vitro Activity of BAY 12-8039, a New 8-Methoxyquinolone," Chemotherapy 1996; 42: 410-425," Plaintiff's Exhibit 1124; Deposition Exhibit D-124 11-15-07 | <input type="checkbox"/> |
| | 28 | Deposition of David W. Stroman, Ph.D, 6/21/07, Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| | 29 | Defendant's Supplemental Notice Pursuant to 35 U.S.C. § 282, 1/25/08, Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| ↓ | 30 | PTX0059: Confidential letter dated 2/21/06 regarding Patent Certification Notice - U.S. Patent Nos. 4,990,517, 5,607,947, PTX0059: Confidential letter dated 2/21/06 regarding Patent Certification Notice - U.S. Patent Nos. 4,990,517, 5,607,942, and 6,716,830 Moxifloxacin Hydrochloride Ophthalmic Solution, 0.5% as base, Teva Pharmaceuticals USA, Inc.'s ANDA 78-073, 20 pages, in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |

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| ZF | 31 | PTX0086: Excerpt of Kathleen Alford's Lab Notebook (AL0022-000011-014) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 32 | PTX0089: Alcon Research Compound Submission (AL007-023353) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 33 | PTX0094: Bayer Data (BL002-024345-0024346) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 34 | PTX0095: Bayer Data (BL002-029484) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 35 | PTX0096: Bayer Data (BL002-030069) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 36 | PTX0097: Bayer Data (BL002-031182-031183) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 37 | PTX101: Curriculum Vitae of Loyd V. Allen, Ph.D. in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 38 | PTX115: Petersen et al., Synthesis and in vitro Activity of BAY 12-8039, A New 8-Methoxy-quinolone, 36th ICAAC (1996) (Abstract) (BL014-011453-011455) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 39 | PTX0135: Klugman and Capper, Concentration-dependent Killing of Antibiotic-resistant Pneumococci by the Methoxyquinolone Moxifloxacin, J. Antimicrobial Chemotherapy, 40:797-02 (1997) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 40 | PTX0136: Ostergaard et al., Evaluation of Moxifloxacin, a New 8-Methoxyquinolone, for Treatment of Meningitis Caused by a Penicillin-Resistant Pneumococcus in Rabbits, Antimicrobial Agents and Chemotherapy, 42: 1706-12 (1998) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| ↓ | 41 | PTX0137: Woodcock et al., In Vitro Activity of Bay 12-8039, A New Fluoroquinolone, Antimicrobial Agents and Chemotherapy, 41(1):101-06 (1997) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |

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| /ZF/ | 42 | PTX0163: Certified Copy of EP Application 0195316 A1, Irikura et al., Quinolonecarboxylic Acid Derivatives (Kyorin) (RT001-012950-012993) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 43 | PTX0171: Curriculum Vitae of Dr. George G. Zhanel in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 44 | PTX0184-D: Chaudhry et al., Scleral Buckle Infection with Ciprofloxacin-Resistant Pseudomonas aeruginosa, Arch. Ophthalmol., 116:1251 (1998) Date Stamped Copy in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 45 | PTX0189: Chaudhry et al., Emerging Ciprofloxacin-Resistant Pseudomonas aeruginosa, Am. J. Ophthalmology, 128 (4):509-10 (1999) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs Exhibit List) | <input type="checkbox"/> |
| | 46 | PTX0194-D: Ball et al., Therapeutic Advances of New Fluoroquinolones, Expert Opinion on Investigational Drugs, 7 (5):761-83 (1998) Date Stamped Copy in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs' Exhibit List) | <input type="checkbox"/> |
| | 47 | PTX0209: Leophonte et al., Trovafloxacin Versus Amoxicillin/Clavulanic Acid in the Treatment of Acute Exacerbations of Chronic Obstructive Bronchitis, Eur. J. Clin. Microbiol. Infect. Dis., 17:434-40 (1998) in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) (Plaintiffs Exhibit List) | <input type="checkbox"/> |
| | 48 | PTX0230L: Powerpoint slide: Some Compounds are Maintained Longer in the Aqueous Humor in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| | 49 | PTX0231A: Powerpoint slide: Moxifloxacin In Solution in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |
| ↓ | 50 | PTX0231B: Powerpoint slide: Moxifloxacin In Solution in Bayer Healthcare AG, Alcon, Inc., and Alcon Research, Ltd. v. Teva Pharmaceuticals USA, Inc. (Civil Action No. 06-234 SLR) | <input type="checkbox"/> |

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